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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Quay et al.

Serial No.: 10/814,399

Filed: 3/31/2004

Title: CYANOCOBALAMIN LOW  
VISCOSITY AQUEOUS  
FORMULATIONS FOR  
INTRANASAL DELIVERY

Group Art Unit: 1623

Attorney Docket No.: 03-02CIP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This **SUPPLEMENTAL** Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
- ☐ Statement under 37 CFR 1.97(e), or
  - ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
- ☐ Statement under 37 CFR 1.97(e), and
  - ☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /P.W./

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,



Paul G. Lunn  
Attorney/Agent for Applicant(s)  
Reg. No. 32743

Date: January 21, 2005  
Telephone No.: (425) 908-3643  
Facsimile No.: (425) 908-3655

.....

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Date of Deposit: January 21, 2005

Typed Name: Jeffrey L. Granger

Signature:  \_\_\_\_\_



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PTO/SB/08a (08-03)  
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Substitute for form 1449A/PTO

Supplemental

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

2

Attorney Docket Number

03-02CIE

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Foreign Patent Document		Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code* - Number* - Kind Code* (if known)					
		CA 1,317,881		05-18-1993	Nastech Pharmaceutical Company Inc.		
Examiner Signature	/Paul Ward/ (04/24/2008)				Date Considered		

**\*EXAMINER:** Include if/ reference cited, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Initial copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See "Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter office that issued the document (the first two letters of the MPEP Standard ST 3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitution for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Complete if Known Application Number 10/814,399 Filing Date 03/31/2004 First Named Inventor Steven C. Quay et al. Art Unit Examiner Name Attorney Docket Number 03-02CIP	
Sheet	2	of	2		

## NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	/Paul Ward/ (04/24/2008)	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/814,399

Filing Date Mar 31, 2004

First Named Inventor Quay, Steven C.

Art Unit 1623

Examiner Name

Attorney Docket Number 03-02CIP

### ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached via Deposit Account charge

☐ Amendment / Reply

☐ Express Abandonment Request

☒ **Supplemental Information Disclosure Statement, one foreign patent and one literature document**

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/ Incomplete Application

☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Return Receipt Postcard

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance communication to (TC)

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Nasteck Pharmaceutical Company Inc.

Signature *Paul G. Lunn*

Printed name Paul G. Lunn

Date January 21, 2005

Reg. No. 32,743

### CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name Jeffrey L. Granger

Date January 21, 2005

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